

**CONSOLENERGY™**

Consolidation Coal Company
P.O. Box 566
Sesser, IL 62884
Phone: (618) 625-2041

September 15, 2000

Mr. Lowell Braxton, Director
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

cc: Steve

Insuring
ACT/015/015

Dear Mr. Braxton:

Please accept this letter as an application for Permit Renewal of Permit Number ACT/015/015 at Consolidation Coal Company's Emery Mine. Consolidation Coal requests that the permit be renewed for a five (5) year period from January 7, 2001 to January 7, 2006. This application is being filed under the guidelines of R645-303-230 of the Coal Mining Rules for the State of Utah. The following information is included as part of our application.

1. Certificate of Liability Insurance
2. Letter from St. Paul/Seaboard which states that Seaboard Surety Company, Bond No. 188617 will remain in full force and effect for any renewal requested, as well as any additional bond required by the Division pursuant to R645-301-800.

In addition, a copy of the public notice of application for the renewal is included for review by your department. Consolidation Coal Company will proceed with the public notice in accordance with R645-303-232.240 and R645-303-232.300.

If you have any questions concerning the completeness of this request, please contact me at (618) 625-6847.

Sincerely,

Timothy D. Kirschbaum
Environmental Engineer

TDK/ejw

jw:WP:D:j-/wpdocs/engdep/tkemrwl

DATE (MM/DD/YY)
11/02/99

MARSH USA Inc.
6 PPG Place, Suite 300
Pittsburgh, PA 15222-5499
Attn: Harriet Greenwell

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY
A Lumbermens Mutual Casualty Co.

**Consolidation Coal Company
Consol Plaza
1800 Washington Road
Pittsburgh, PA 15241-1421**

COMPANY
B

COMPANY
C

COMPANY
D

This certificate supersedes and replaces any previously issued certificate.

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY	5AA 045 298-00	11/05/99	11/05/00	GENERAL AGGREGATE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS - COMP/OP AGG	\$ INCLUDED
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				PERSONAL & ADV INJURY	\$ 1,000,000
	OWNER'S & CONTRACTOR'S PROT				EACH OCCURRENCE	\$ 1,000,000
					FIRE DAMAGE (Any one fire)	\$ N/A
					MED EXP (Any one person)	\$ N/A
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT	\$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE	\$
	<input type="checkbox"/> HIRED AUTOS					
<input type="checkbox"/> NON-OWNED AUTOS						
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
	<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY:	
					EACH ACCIDENT	\$
					AGGREGATE	\$
	EXCESS LIABILITY				EACH OCCURRENCE	\$
	<input type="checkbox"/> UMBRELLA FORM				AGGREGATE	\$
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS	
	THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				EACH ACCIDENT	\$
					DISEASE - POLICY LIMIT	\$
					DISEASE - EACH EMPLOYEE	\$
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS	LIMITS MAY HAVE BEEN REDUCED BY PAID CLAIMS AND MAY HAVE DEDUCTIBLES OR RETENTIONS.
All operations usual to the business of the Insured at Emery Mine, permit ID ACT 015/015. Use of explosives is covered under the CGL policy.	

CANCELLATION

State of Utah
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, UT 84114-5801

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ~~IN ADVANCE~~ BY MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, ~~BY FAX OR TELEPHONE AND BY FIRST CLASS MAIL TO THE ADDRESS OF THE CERTIFICATE HOLDER~~ ~~BY FAX OR TELEPHONE AND BY FIRST CLASS MAIL TO THE ADDRESS OF THE CERTIFICATE HOLDER~~

AUTHORIZED REPRESENTATIVE
Robert C Burnham

NEG

St Paul SEABOARD

St. Paul / Seaboard
215 Centerview Drive, Suite 300
Brentwood, Tennessee 37027-5246

615 377 4684
Fax 615 377 4692

August 31, 1995

State of Utah
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

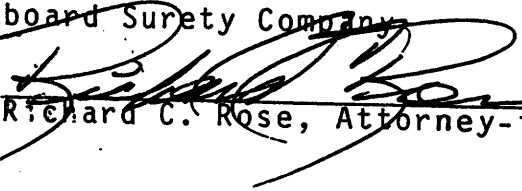
Gentlemen:

The Surety Performance Bond Number 188617 written by Seaboard Surety Company in the amount of \$3,454,443.00 covering Emery Deep Mine, ACT/015/015 Folder #4, with Consolidation Coal Company, as principal, will remain in force for the duration of the permit term.

It is agreed and understood that the referenced bond is not cumulative in nature, regardless of the number of years it may remain in effect. It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter.

~~Seaboard Surety Company~~

By:


Richard C. Rose, Attorney-in-Fact

Seaboard Surety Company
St. Paul Fire and Marine Insurance Company
St. Paul Mercury Insurance Company
St. Paul Guardian Insurance Company

Certified Copy

No. 13250

2G- 7549

SEABOARD SURETY COMPANY

ADMINISTRATIVE OFFICES, BEDMINSTER, NEW JERSEY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SEABOARD SURETY COMPANY, a corporation of the State of New York, has made, constituted and appointed and by these presents does make, constitute and appoint Richard G. Anderson or Richard C. Rose or Janice Fennell or Frank A. Word, Jr. or Tracy Tucker

of Knoxville, Tennessee

its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf insurance policies, surety bonds, undertakings and other instruments of similar nature as follows:

Without Limitations

Such insurance policies, surety bonds, undertakings and instruments for said purposes, when duly executed by the aforesaid Attorney-in-Fact, shall be binding upon the said Company as fully and to the same extent as if signed by the duly authorized officers of the Company and sealed with its corporate seal, and all the acts of said Attorney-in-Fact pursuant to the authority hereby given, are hereby ratified and confirmed.

This appointment is made pursuant to the following By-Laws which were duly adopted by the Board of Directors of the said Company on December 8th, 1927, with Amendments to and including January 15, 1982 and are still in full force and effect.

ARTICLE VII, SECTION 1

"Policies, bonds, recognizances, stipulations, consents of surety, underwriting undertakings and instruments relating thereto, insurance policies, bonds, recognizances, stipulations, consents of surety and underwriting undertakings of the Company, and releases, agreements and other writings relating in any way thereto or to any claim or loss thereunder, shall be signed in the name and on behalf of the Company

(a) by the Chairman of the Board, the President, a Vice-President or a Resident Vice-President and by the Secretary, an Assistant Secretary, a President Secretary or a Resident Assistant Secretary, or (b) by an Attorney-in-Fact for the Company appointed and authorized by the Chairman of the Board, the President or a Vice-President to make such signature, or (c) by such other officers or representatives as the Board may from time to time determine. The seal of the Company shall if appropriate be affixed thereto by any such officer, Attorney-in-Fact or representative."

IN WITNESS WHEREOF, SEABOARD SURETY COMPANY has caused these presents to be signed by one of its Vice-Presidents, and its corporate seal to be hereunto affixed and duly attested by one of its Assistant Secretaries, this 5th day of April, 1995.



Attest

(Seal)

Belinda Faye Lee

Assistant Secretary

SEABOARD SURETY COMPANY

By

Michael B. Keegan

Vice-President

STATE OF NEW JERSEY
COUNTY OF SOMERSET

ss.

On this 5th day of April, 1995

Michael B. Keegan

with whom I am personally acquainted, who, being by me duly sworn, said that he resides in the State of New Jersey, that he is a Vice-President of SEABOARD SURETY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal, said Company by like authority.

(Seal)



BELINDA FAYE LEE

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires Sept. 9, 1998

Belinda Faye Lee

Notary Public

CERTIFICATE

I, the undersigned Assistant Secretary of SEABOARD SURETY COMPANY do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this Certificate and I do further certify that the Vice-President who executed the said Power of Attorney was one of the Officers authorized by the Board of Directors to appoint an attorney-in-fact as provided in Article VII, Section 1, of the By-Laws of SEABOARD SURETY COMPANY.

This Certificate may be signed and sealed by facsimile under and by authority of the following resolution of the Executive Committee of the Board of Directors of SEABOARD SURETY COMPANY at a meeting duly called and held on the 25th day of March 1970.

"RESOLVED: (2) That the use of a printed facsimile of the corporate seal of the Company and of the signature of an Assistant Secretary on any certification of the correctness of a copy of an instrument executed by the President or a Vice-President pursuant to Article VII, Section 1, of the By-Laws appointing and authorizing an attorney-in-fact to sign in the name and on behalf of the Company surety bonds, underwriting undertakings or other instruments described in said Article VII, Section 1, with like effect as if such seal and such signature had been manually affixed and made, hereby is authorized and approved."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Company to these presents this 31st day of August, 1995.



Sara M. Klement

Assistant Secretary

Form 957 (Rev 7/84)



CONSOL ENERGY.

Consolidation Coal Company
P.O. Box 566
Sesser, IL 62884
Phone: (618) 625-2041

September 12, 2000

Emery County Progress
190 East Main
Castle Dale, Utah 84513

Attn: Kevin Ashby

Dear Mr. Ashby;

Enclosed is a public notice and map that Consolidation Coal Company wishes to have published in the Emery County Progress newspaper once a week for four (4) consecutive weeks beginning notice as soon as possible.

Please send the bill and a certificate of publication to the undersigned at the address shown above.

If you have any questions, please call.

Sincerely,

Timothy D. Kirschbaum
Environmental Engineer

Enclosures

TDK/ejw

jw:WP:D:j-/wpdocs/engdept/tk09120

NOTICE

Notice is hereby given that Consolidation Coal Company, 1800 Washington Road, Pittsburgh, Pennsylvania 15241, has filed an application with the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining for a five-year permit renewal of Permit No. ACT/015/015 to operate the Emery Mine under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The permit area, as shown on the map below, is located on U.S. Geological Survey 7.5 minute quadrangle map as follows:

Sections 19, 20, 21, 28, 29 and 30, Township 22S, Range 6E, of the Emery West Quadrangle;

Sections 21, 22, 27 and 28, Township 22S, Range 6E, of the Emery East Quadrangle;

Sections 28, 29, 30, 31, 32 and 33, Township 22S, Range 6E, of the Walker Flat Quadrangle;

Sections 27, 28 and 33, Township 22S, Range 6E, of the Mesa Butte Quadrangle.

(Insert Map)

Copies of the application for this permit are available for inspection at:

Emery County Recorder's Office
Emery County Courthouse
Castle Dale, Utah 84513

Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Written comments on this application should be submitted to the State of Utah, Division of Oil, Gas & Mining at the above address. Such comments should be filed within thirty (30) days from the date of the last publication of this notice.

